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8 **Counsel for Creditor/Movant,**
9 **Vicino Limited Partnership**

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 (SANTA ANA DIVISION)

12 In re:) Case No.: 8:23-bk-10094-SC
13) Chapter 7
14 DAVID ALLEN WILSON,) JOINT STATUS REPORT RE:
15) STATUS OF VICINO LIMITED
16 Debtor.) PARTNERSHIP MOTION FOR
17) RELIEF FROM STAY
18) <u>Continued Hearing on Motion for</u>
19) <u>Relief from Stay:</u>
20) Date: May 17, 2023
) Time: 10:00 am
) Place: Courtroom: ZoomGov

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22 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES**
23 **BANKRUPTCY COURT JUDGE:**

24 This Joint Status Report is provided by Vicino Limited Partnership (the “Movant”)
25 and David Wilson (the “Debtor”) in the above captioned Chapter 7 Bankruptcy case, with
26 respect to the status of Movant’s pending Motion for Relief from the Automatic Stay.

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STATEMENT OF MOVANT VICINO LIMITED PARTNERSHIP

1. On or about March 14, 2023, Vicino emailed counsel for the Debtor and informed him that Vicino would be willing to dismiss David Wilson from the Hawaii State Court Action, in exchange for a grant of relief from stay in this Bankruptcy Case.

2. On or about March 22, 2023, Vicino's counsel was informed by counsel for the Debtor that David Wilson would agree to such a stipulation, and requested that he draft and send over a stipulation. On March 24, 2023, Vicino's counsel emailed over a proposed stipulation to Debtor's counsel.

3. On March 27, 2023, Vicino's counsel was informed by Debtor's counsel that the Debtor wanted to add a provision to the stipulation for payment of cash by Vicino to the Debtor.

4. Vicino's counsel informed Debtor's counsel that Vicino would not provide such a payment, but still requested the stipulation.

5. On May 1, 2023, Debtor's counsel informed Vicino's counsel that he was going to check with the Debtor, but as of today's date, has not provided any agreement to such a stipulation.

6. Prior to May 1, 2023, the Chapter 7 Trustee, the Office of the UST, and the Debtor, entered into a stipulation to continue the deadline of the Chapter 7 Trustee and UST to object to the Debtor's discharge from the deadline of May 1, 2023 to June 1, 2023 (the "UST Stipulation").

7. Vicino has chosen not to seek to file a complaint for nondischargeability against this Debtor, however the Debtor's discharge is still in abeyance due to the UST Stipulation.

8. Vicino is willing to dismiss David Wilson from the Hawaii State Court Action as a Defendant, and therefore asks this Court to in exchange grant its Motion for Relief from Stay in order to provide the Hawaii State Court with direction to allow that action to proceed.

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ADDITIONAL STATEMENT OF DEBTOR DAVID WILSON

1. The debtor has no opposition to the granting of this motion with the condition that he be dismissed as a defendant in the Hawaii State Court Action.

2. The debtor requests that any Order include language requiring Movant to dismiss him from the Hawaii State Court Action and provide notice of the dismissal prior to the relief from stay becoming effective.

Dated: May 4, 2023

LAW OFFICE OF DAVID I. BROWNSTEIN



David I. Brownstein, Esq.
Counsel for Movant, Vicino Limited Partnership

Dated: May 4, 2023

RED HILL LAW GROUP



Bert Briones, Esq.
Counsel for Debtor, David Allen Wilson

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1 Park Plaza, Suite 600, Irvine, CA 92614

A true and correct copy of the foregoing document entitled (*specify*): _____
_____ JOINT STATUS REPORT RE: STATUS OF VICINO LIMITED _____
_____ PARTNERSHIP MOTION FOR RELIEF FROM STAY _____

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 5/4/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

see attached list

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/4/2023 David Brownstein /s/ David Brownstein
Date *Printed Name* *Signature*

PROOF OF SERVICE CONTINUED

Part 1. Service by NEF

Anerio V Altman on behalf of Interested Party Beata E Wilson
LakeForestBankruptcy@jubileebk.net, lakeforestpacer@gmail.com

Bert Briones on behalf of Debtor David Allen Wilson
bb@redhilllawgroup.com, helpdesk@redhilllawgroup.com;RedHillLawGroup@jubileebk.net

David I Brownstein on behalf of Creditor Vicino Limited Partnership
david@brownsteinfirm.com

David I Brownstein on behalf of Interested Party Courtesy NEF
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Melissa Davis Lowe on behalf of Trustee Richard A Marshack (TR)
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Richard A Marshack (TR)
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United States Trustee (SA)
ustpregion16.sa.ecf@usdoj.gov

Michael A Wallin on behalf of Creditor Thomas I. McKnew, IV
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